

REMARKS

Claims 11-16, 18, 20, and 22 are all the claims pending in this application. Claims 1-10, 17, 19, and 21 are herein cancelled.

The Examiner rejected claims 11-16, 18-20 and 22 under 35 U.S.C. 103(a) as allegedly being unpatentable over Ichiro (JP 2000-284206) in view of Fujita et al. Applicant traverses the 35 U.S.C. § 103(a) rejection of claims 11-16, 18-20 and 22. Of the rejected claims, claims 11 and 14 are independent claims, which similarly require two refracting members arranged in at least two pair units in an array shape in a direction orthogonal to a light beam dividing direction.

The Examiner has conceded that Ichiro fails to teach a pair of refracting members being arranged perpendicular to the light beam dividing direction. (Office Action, page 5).

Applicant submits that the combination of Ichiro and Fujita fails to teach or suggest at least that two refracting members arranged in at least two pair units in an array shape in a direction orthogonal to a light beam dividing direction, as recited in claims 11 and 14.

In Figs. 25A and 25B of Fujita, the alleged refracting members 72 and 73 are not arranged in at least two pair units, as recited in claims 11 and 14. Element 71 in Figs. 25A and 25B only discloses a single pair unit but not two pair units. As such, Fujita fails to compensate for the deficiencies of Ichiro.

For the foregoing reasons, independent claims 11 and 14, along with their dependent claims 12, 13, 15, 16, 18, 20 and 22 are allowable over the combined teachings of Ichiro and Fujita. Applicant respectfully requests that this § 103(a) rejection be withdrawn.

Applicant herewith submits Appendices B-1 to B-3 to illustrate the advantages of the invention over Ichiro.

Figs. 1-1 to 1-5 illustrate lights divided at the prism of Ichiro. Figs. 2-1 to 2-5 illustrate lights divided at an element array, including one pair unit and ejected therefrom. Figs. 3-1 to 3-5 illustrate lights divided at an element array of the present invention, including two pair units and Fig. 4-1 to 4-5 illustrate light divided at an element array of the present invention, including four pair units and ejected therefrom.

In the set of Figs. 1 and 2, the shape of the light deforms when a plane is moved slightly along the axes of the light. By contrast, the Figs. 3-4 (corresponding to the invention), the shape shows remarkably less deformation. This illustrates the advantage of the two pair unit (or more) type of arrangement of the present invention.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Susan Perng Pan
Registration No. 41,239

Date: August 26, 2005